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08/939,064 09/29/97 KAMACHI

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EXAMINER

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ART UNIT

PAPER NUMBER

2173

DATE MAILED:

09/18/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/939,064

Applicant(s)

KAMACHI

Examiner

Thomas Nguyen

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jun 29, 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other:

FIRST ACTION

Specification:

An attempt to incorporate subject matter into the patent application by reference to hyperlink and/ or other form of browser-executable code such as URL placed between these symbols "<>" and http:// followed by a URL address is objected and consider to be improper incorporate by reference, see MPEP 608.01(p) paragraph I. Remove those from the specification is required.

Claim Rejections - 35 USC § 103

Claim 1-2,5-7,10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elliott et al. US Patent 5,621,904 in view of Santos-Gomez US 5,771,042.

As per claim 1,5-6: Elliott discloses a system and method for process and displaying a main information window; and a accompanying information sub-window associated with main information which having a height, a width independent to the main window including automatically arrangement changing the display position moving the sub-window to main window within (less than) a preset predetermined value, and arranging of sub window to a position adjacent to main window (abstract, summary and col.2 , line 40 to col.3, line 30; FIG.2), although Elliott's description of related art discloses user able manually move the sub-window to user specified position (col.1) but Elliott's system does not teach when the user-specified position less than a preset predetermined value the automatically arrangement take place. However, Santos-Gomez discloses a snap region when sub-window is moved to within / less than predetermined distance of the user specified position (Fig.4-5,col.4-5) . Therefore, it would have been obvious to one of ordinary skill in the relevant art at the time of invention to modify

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Elliott's system using Santos's "snap" feature because this gain user control in composition of screen layout and furthermore displaying windows this way are utilizing display spaces effective and efficiently for user viewing without obscured information as suggested by Elliott (col.1-2).

As per claim 2,7,10: Recite from claim 1, Elliott discloses a system for display a sub window adjacent to main window within a preset predetermined value, but Elliott's system discloses automatic arrangement by moves the sub window adjacent to main window and alignment both windows in reserve order (lower side of sub-window with lower side of main window instead upper side see FIG.2,3,4A-B). However, it would have been obvious to one of ordinary skill in the relevant art at the time of invention for change sub-window coordinate to alignment the upper sides or lower side of main window and sub window, because organizing the display windows this way it a matter of application preference at the time programming design and in some cases may maximize/ utilize the display area effectively to meet spacing availability and/or user needs.

Claim 3-4,8-9,11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elliott et al. US Patent 5,621,904 in view of Santos-Gomez US 5,771,04, and further in view of Liles et al. US Patent 5,880,731.

As per claim 3,8,11: Recite from claim 1, but Elliott's image display system does not discloses the main window displays a 3D Virtual Reality and sub windows display a chat perform via an avatar. However, Liles teaches present invention system relates to a virtual space which allows avatar freely move to desired position in a shared in 3D virtual space (abstract, col.3-4, Fig.13). Therefore, it would have been obvious to one of ordinary skill in the relevant

art at the time of invention to combine Elliott's position windows display and Liles's disclosures for obtaining an image display which main window in 3D virtual reality space and sub window of a movable chat avatar, because this would enhance system performance and usability.

As per claim 4,9,12: Recite from claim 3, Liles's system describes in virtual world 3D graphic data network communication with the server (col.5-6) but does not disclose any particular language. It would have been obvious to one of ordinary skill in the relevant art at the time of invention to select a well known such as VRML (Virtual Reality Modeling Language) for implement the 3D graphics with avatar in Virtual Reality / Virtual space because this would enhance system performance efficiently / effectively in Virtual Reality environment.

Response to Applicant's Remarks:

Appellant's central argument against the specification and applicability of *Elliott et al.*, *Santos-Gomez and Liles et al.* systems in combination is that they do not teach or suggest Applicant's invention claims. However, Elliott's system and method for display a main window information and a sub window for displaying accompanying information associated with main information and automatically arrangement changing the display position moving the sub window to main window within a preset predetermined value, and arranging of sub window to a position adjacent to main window without altering sub window's size including a separated distance between the two windows (abstract, col.2 line 40 to col.3 line 30; Fig.2-3); but Elliott fails to teach user-specified position. However, while *Santos-Gomez* discloses a User interface controls are provided to allow the user to designate a displayed window and the designated window is moved from area to area, accordingly (abstract, summary, col.4-5) including a snap

region as when sub-window is moved to within / less than user specified position such as The corner of a workspace may be snapped to the corner of adjacent workspaces to connect the workspaces and create the corner single size control separator (abstract, Fig.4-5). Therefore, the Elliott et al. reference is fully discloses a system and method that intelligently positioning sub-window by main-window to reduce the aforementioned problem to over come the related prior-art (see col.1, line 41-67), and with Elliott's logic (Fig.3A-4B), and calculations / functions (col.3-6) which is eliminate burden / problem of prior-art such as obscure important information by overlapping or requiring user manually re-position. It is would have been obvious to one of ordinary skill in the relevant art at the time of invention for asserting the user interface task "for user-specified position" using Santos's user interface control for moving a display position of sub window to a user-specified position, with "snap" feature because this give user composition of screen layout and furthermore displaying windows this way are utilizing display spaces effective and efficiently for user viewing without obscured information as suggested by Elliott (col.1-2).

Regarding to amended claims to recite the value is less than instead within this condition is taught by Santos's system which allows user to define the predefined distance / value (col.3, line 15, col.5 line 1-10).

Other feature are recited and rejecting for a similar reason (see preceding rejection).

Regarding Applicant remark the lack of a suggestion, motivation to combine the references. However, while Elliott's system is intelligently automatic / dynamically display main window and sub-window for efficiency / effectively in utilizing display spaces and Santos-Gomez discloses a snap region when sub-window is moved to within / less-than predetermined

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distance of the user specified position (Fig.4-5,col.4-5) .. Therefore, it would have been obvious to one of ordinary skill in the relevant art at the time of invention to modify Elliott's system using Santos's "snap" feature because this gain user control in composition of screen layout and furthermore displaying windows this way are utilizing display spaces effective and efficiently for user viewing without obscured information as suggested by Elliott (col.1-2), and Santos-Gomez (col.2 line 15-20).


Conclusion

Any inquiry concerning this communication or earlier communications should be directed to the Patent Examiner **Thomas Nguyen**, whose telephone number is (703) 308-7240 (Monday to Friday 10:30 - 7:00 ET) or *John W. Cabeca* Supervisory Patent Examiner (703) 308-3116.

Other inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900 and fax number (703) 308-6606.

Thomas T. Nguyen

September 13, 2001


RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173